

environment. In the method of Li, a user contacts an ISP provider, informs the ISP provider of the user's requirements for an Internet access device, and the ISP provider creates a configuration file on a server. The ISP provider ships the Internet access device to the user; the user enters an identifier and a telephone number into the device; and the device calls the server and receives the configuration file from the server. As specifically taught by Li, the ISP assembles all of the customer information and inputs it into the ISP database.

The Applicants respectfully suggest that the Examiner is using impermissible hindsight reconstruction to arrive at the Applicants' invention. Li addresses a system for easing the installation of an Internet access device. The Applicants maintain that Li is not analogous art to the Applicants' invention, absent knowledge of the Applicants' invention.

Li teaches a method wherein the vendor of a device interviews a user to determine the user's requirements, then ships a product to the user with a means of configuring itself to satisfy these identified requirements. Absent knowledge of the Applicants' invention, one of ordinary skill in the art who is seeking a means of facilitating the ongoing control of the processing and playout of multimedia content would not be lead to Li. That is, one of ordinary skill in the art would need to have recognized that the use of a remote server would facilitate the control of televisions and other entertainment devices before he or she would be lead to Li. It is neither obvious nor apparent that a technique used to facilitate the installation of an Internet access device would have a parallel or analogous application to facilitate the ongoing control of a multimedia playout device.

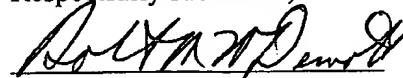
Further, Li neither teaches nor suggests the subsequent use of the server to control the Internet access device, and Li neither teaches nor suggests that the need of a remote server to configure a device extends beyond technically complex devices such as an Internet access device. Similarly, Liebenow neither teaches nor suggests that a remote server be used to control multimedia devices, nor does Liebenow teach or suggest that a deficiency exists in the conventional means of controlling these relatively simple multimedia devices.

In independent claim 22, upon which claims 23-24 depend, the Applicants specifically claim a device that receives control information from a server and uses that information to control the processing and playout of multimedia content on the device. As noted above, the Applicants respectfully maintain that the combination of access to a remote server for controlling the rendering of multimedia content on a device is neither taught nor suggested by the prior art, and thus one of ordinary skill in the art would not be lead to combine the design of Li's Internet access device with Liebenow's multimedia control system absent the Applicants' teachings.

Because Li's pre-shipment collection of user information to facilitate the configuration of an Internet access device via a server is not heretofore analogous to the a system for controlling the processing and playout of multimedia content material, the Applicants respectfully maintain that the combination of Li and Liebenow is the result of impermissible hindsight reconstruction, and respectfully request the Examiner's reconsideration of the rejection of claims 2-8, 10-14, and 20-24 under 35 U.S.C. 103(a) as being unpatentable over Li in view of Liebenow.

In view of the foregoing, the Applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the present application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Robert M. McDermott, Esq.

Reg. No. 41,508

804-493-0707

**CERTIFICATE OF MAILING OR TRANSMISSION**

It is hereby certified that, on the date shown below, this correspondence is being:

|| deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[X] transmitted by facsimile to the United States Patent and Trademark Office at 703-746-7238.

On 18 June 2003

By

